

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	<u>ORDER OF CONTINUANCE</u>
	:	
- v. -	:	
	:	20 Mag. 5275
RICHARD SCHIRRIPIA,	:	
a/k/a, "the Mask Man,"	:	
	:	
Defendant.	:	
- - - - -	x	

Upon the application of the United States of America and the affirmation of Michael D. Neff, Assistant United States Attorney for the Southern District of New York, it is found that the defendant was charged with violations of 50 U.S.C. §§ 4512, 4513; 18 U.S.C. § 1001; 18 U.S.C. §§ 1347 and 2; and 18 U.S.C. §§ 1028A and 2, in a complaint dated May 21, 2020;

It is further found that the defendant surrendered on May 26, 2020; was presented before Magistrate Judge Ona T. Wang on the same day; and was ordered released on bail on the same day;

It is further found that, under the Speedy Trial Act, the Government was initially required to file an indictment or information on or before June 25, 2020;

It is further found that, on June 25, 2020, the Honorable Gabriel W. Gorenstein, Chief United States Magistrate Judge, entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment

or information would otherwise have had to be filed in this case until July 27, 2020;

It is further found that, on July 27, 2020, the Honorable Sarah Cave, United States Magistrate Judge, entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have had to be filed in this case until August 26, 2020;

It is further found that Assistant United States Attorney Michael D. Neff and counsel for the defendant -- Gerald B. Lefcourt, Esq. and Faith A. Friedman, Esq. -- have been engaged in, and are continuing, discussions concerning a possible disposition of this case;


It is further found that the Government has requested a continuance of 30 days to engage in further discussions with counsel about the disposition of this case and that the defendant, through counsel, has consented that such a continuance may be granted for that purpose and has specifically waived his right to be charged in an indictment or information for an additional 30 days; and

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial; and therefore it is

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until September 25, 2020, and that a copy of this Order and the affirmation of Assistant United States Attorney Michael D. Neff be served on this date on counsel for the defendant by the United States Attorney's Office.

Dated: New York, New York
August 26, 2020

262526



HONORABLE DEBRA ANN FREEMAN
United States Magistrate Judge
Southern District Of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	Affirmation in Support
	:	of Application for
- v. -	:	Order of Continuance
	:	
RICHARD SCHIRRIPIA,	:	20 Mag. 5275
a/k/a, "the Mask Man,"	:	
	:	
Defendant.	:	
	:	
- - - - -	x	

State of New York)
County of New York	: ss.:
Southern District of New York)

Michael D. Neff, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Audrey Strauss, Acting United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated May 21, 2020, with violations of 50 U.S.C. §§ 4512, 4513; 18 U.S.C. § 1001; 18 U.S.C. §§ 1347 and 2; and 18 U.S.C. §§ 1028A and 2. On May 26, 2020, the defendant surrendered, was presented before Magistrate Judge Ona T. Wang, and was ordered released on bail.

3. At the presentment, defense counsel consented to a waiver of the defendant's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 21 days of the initial appearance. Accordingly, the Government initially had until June 25, 2020 to charge the defendant by indictment or information. On June 25, 2020, the Honorable Gabriel W. Gorenstein, Chief United States Magistrate Judge, entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have had to be filed in this case until July 27, 2020. On July 27, 2020, the Honorable Sarah Cave, United States Magistrate Judge, entered an Order of Continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A), extending the time within which an indictment or information would otherwise have had to be filed in this case until August 26, 2020.

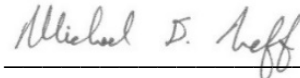
4. Counsel for defendant RICHARD SCHIRRIPA -- Gerald B. Lefcourt, Esq. and Faith A. Friedman, Esq. -- and I have communicated regarding a possible disposition of this case. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on August 26, 2020.

5. Therefore, the Government is requesting a 30-day continuance until September 25, 2020, to continue our

discussions and reach a disposition of this matter. On or about August 17, 2020, I personally communicated with defense counsel, who specifically consented to this request. This application has also been approved by Andrew Dember, Deputy Chief of the Criminal Division of the U.S. Attorney's Office.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
August 20, 2020



Michael D. Neff
Assistant United States Attorney
Southern District of New York
212-637-2107